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*...for a large offshore wind farm that could power as much as a quarter of **Rhode Island's** electric load cleared a major hurdle on Tuesday...*

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WILMINGTON The U.S. **Environmental Protection Agency** expects to have an intermediate remediation plan for the contaminated Olin site this...

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New Hampshire sues 3M, Dupont, other chemical companies

Associated Press | 05/28/2019

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CONCORD, N.H. (AP) - **New Hampshire** has sued eight companies including 3M and Dupont for damage it says has been caused statewide by a class of potentially toxic chemicals found in everything from pizza boxes to fast-food wrappers.

The state becomes the second in the nation to go after the makers and distributors of perfluoroalkyl and polyfluoroalkyl substances or PFAS and the first to target statewide contamination. The lawsuit also names Chemours Company, Chemguard Inc., Tyco Fire Products, Buckeye Fire Equipment, Kidde-Fenwal Inc. and National Fire Foam Inc.

New York state has sued six companies that made firefighting foam containing PFOS and/or PFOA chemicals that it says have contaminated drinking water in two communities and groundwater in another.

"The actions we are taking today is intended to ensure that those responsible for PFAS contamination to our state's drinking water supplies and other natural resources are held accountable," **New Hampshire** Attorney General Gordon McDonald said. "As alleged in the lawsuits, the defendants possessed unique knowledge of the dangers of PFAS chemicals but continued to make or sell them without warning the public of their health risks."

Messages seeking comment were sent to all the companies.

A spokesman for Johnson Controls whose brands include Tyco and Chemguard defended the use of firefighting foams, which include PFAS.

"Tyco and Chemguard acted appropriately and responsibly at all times in producing our firefighting foams," Fraser Engerman, the director of global media relations for Johnson Controls, said in a statement.

"We make our foams to exacting military standards, and the U.S. military and civilian firefighters have depended for decades on these foams to extinguish life-threatening fires," he continued. "They continue to use them safely and reliably for that purpose today."

In an emailed statement, 3M said it "acted responsibly in connection with products containing PFAS" and would "vigorously defend its environmental stewardship."

The substances have been used in coatings meant to protect consumer goods and are commonplace in households across the United States. Firefighting foam containing PFAS has seeped into groundwater and waterways around military bases, airports and fire stations.

Studies have found potential links between high levels of PFOA in the body and a range of illnesses including kidney cancer, increased cholesterol levels and problems in pregnancies. And because they persist for so long in the environment, PFAS has been dubbed a forever chemical.

The moves by **New Hampshire** come as states around the country are growing impatient waiting for the federal government to address widespread contamination - especially setting standards on the amount of chemicals that considered safe in drinking water.

The **Environmental Protection Agency**, which has established a nonbinding health advisory threshold of 70 parts per trillion, earlier this year announced plans to consider limits on the toxic chemicals.

New Jersey has set more stringent standards for some PFAS chemicals, and **Vermont** has passed legislation requiring standards be set for drinking water. **New Hampshire** has proposed drinking water standards ranging from 23 parts per trillion to 85 parts per trillion depending on the chemical.

The challenge for regulators is tracking down and treating a chemical that seems to be everywhere, from materials in landfills to the drinking water of homeowners, to the rivers where people fish.

EPA-mandated testing of about 5,000 of the roughly 150,000 public water systems in the U.S. completed in 2016 found dangerous levels of the same two PFAS compounds in 66 systems. Local and state testing since then has identified high levels in additional systems.

In **New Hampshire**, the state has been forced to connect more than 700 homes to new water systems in four communities due to PFAS contamination. It estimates that the contamination could end up impacting 100,000 people, with damages reaching several hundred million dollars.

In the lawsuits filed Wednesday in state court, **New Hampshire** does not seek a specific dollar amount for damages. The state wants the companies pay for the cost of investigating, cleaning up and remediating contamination related to groundwater, surface water and other natural resources.

It accused Dupont and 3M of knowing the dangers of PFAS compounds going back as far as the 1950s but not making it public while continuing to market the compounds.

"It is my hope that those responsible for the manufacturer and distribution of PFAS will recognize the severity of the issues they have caused and will become part of the solution," McDonald said.

Last month, **Vermont** announced a **settlement** with a plastics company that would help hundreds of people in the Bennington area whose drinking water wells had been contaminated by chemicals. Saint-Gobain Performance Plastics agreed to extend municipal water lines to more homes.

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Proposed Wind Farm Clears Another Hurdle

The Providence Journal | 05/28/2019

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ENERGY

WARWICK \x97 A proposal for a large offshore wind farm that could power as much as a quarter of **Rhode Island's** electric load cleared a major hurdle on Tuesday when regulators approved a contract between the developers and the state's dominant utility.

The state Public Utilities Commission unanimously voted in favor of the 20-year agreement under which National Grid will buy power from the 400-megawatt Revolution Wind Farm that is being developed in **Rhode Island** Sound by Danish-owned Orsted U.S. Offshore Wind and Boston-based energy company Eversource.

National Grid will pay 9.8 cents per kilowatt-hour as part of a deal that state energy officials estimate could save **Rhode Island** electric consumers \$90 million over the life of the contract, or about 50 cents per month for the typical customer.

The agreement won the support of the Acadia Center and other environmental groups, as well as unions, the Greater Providence Chamber of Commerce and the Energy Council of **Rhode Island**, which represents some of the largest electric users in the state.

Gov. Gina Raimondo described the approval as a "significant milestone" that will reduce **carbon** emissions and support the development of a green economy in **Rhode Island**.

"Two years ago, I pledged to increase our clean energy portfolio tenfold by 2020. Today's approval by the PUC brings us within reach of that goal," she said in a statement.

Although the three commission members all voted to approve the agreement, they each acknowledged the risks associated with the wind farm and the uncertainties surrounding the benefits to electric customers.

If the price of certificates representing the environmental benefits of **renewable energy** fails to increase as projected, then the contract could cost consumers in the long run, said commissioner Abigail Anthony. Additionally, much of the savings are expected to come on windy winter days when the wind farm is expected to displace more expensive oil generators or **natural gas**-burning plants that may charge a premium. If those savings are lower, the net benefits may be too, Anthony said.

"It's clearly not a sure bet that the economic benefits will exceed the costs," she said. "I think the commission and ratepayers should be clear-eyed about the economic risks."

Commissioner Marion Gold noted that the uncertainties cut both ways, and that the project may lead to larger savings than expected. Anthony agreed.

The commission increased the chances that ratepayers will see savings by making one significant change to the contract. National Grid had requested compensation for agreeing to a deal that advances the state's policy goal of increasing its supply of **renewable energy**. The company had asked to get 2.75 percent of the annual payments under the deal \x97 about \$4.5 million \x97 to cover any risks it incurred by carrying the contract on its balance sheet.

But the state Division of Public Utilities and Carriers, the sister agency to the PUC, argued that the risk is minimal and that National Grid deserved only a fraction of its request, if anything. So too did the nonprofit energy-buying

consortium PowerOptions.

The only other offshore wind contract approved by the PUC, for the Block Island Wind Farm, included a 2.75 percent remuneration rate, but the number was dictated by state law, with the rationale that National Grid was entering new and unknown territory by signing onto an agreement with the first project of its kind in the United States.

The contract for the Revolution Wind Farm is governed by a different state law that makes no provision for remuneration.

The members of the commission cited testimony from an energy consultant that Orsted will bear the development risk and that ratepayers will assume any cost risk. Chair Margaret Curran described National Grid's testimony in support of remuneration as "not credible" and she and the other commissioners voted to keep the money with ratepayers.

"There's no question that there's no legal requirement for remuneration here," Curran said. "There has not been sufficient proof that any policy considerations should require remuneration."

The Revolution project, targeted to come online in 2023, would provide enough power for about 270,000 homes. It would lead to greenhouse gas emissions savings equivalent to taking 100,000 cars off the road. The developers have also committed to investing \$250 million in the state, including \$40 million on improvements for the Port of Providence and the port in the Quonset Business Park.

Outside the commission offices in Warwick after the vote, Jeffrey Grybowski, co-CEO of Orsted U.S., said he is confident that the wind farm will create net benefits for the state.

"We're going to work really hard over the next handful of years and up to twenty-plus years from now to make sure we realize as many benefits as we can for Rhode Islanders, including creating a lot of local jobs and investing in ports," he said.

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Contaminated Olin site remediation plan ready by fall

The Sun | 05/28/2019

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WILMINGTON The U.S. **Environmental Protection Agency** expects to have an intermediate remediation plan for the contaminated Olin site this fall, but is still investigating the extent of groundwater contamination.

EPA representatives updated the Board of Selectmen on the Olin site Tuesday night.

Located at 51 Eames St., **Olin Chemical** was a 53-acre facility that produced specialty chemicals for rubber and plastics until 1986 when it closed, according to the EPA website. Waste disposal practices caused contamination both on and off-site, prompting the town to close contaminated drinking water wells and municipal supply wells in the Maple Meadow Brook aquifer.

In April, the EPA added the Olin site to its Emphasis List, making the site a top priority. Having the site on the list means support from higher levels within the agency, EPA Section Chief Lynne Jennings told the board Tuesday.

That additional support may come in handy, Jennings said, as the EPA has disagreed with Olin on a variety of issues. Olin is contesting the EPA's finding that the contamination plume has spread.

A recent report that Olin submitted to the EPA also fell short, according to Jennings.

The report, submitted in May, outlined remediation options for a number of issues including contaminated groundwater. The purpose of the report was to identify a wide range of options for the EPA to review, but was missing options which the EPA had specifically asked Olin to study, according to Jennings.

As a result, the EPA will most likely "develop a set of alternatives in concert with" Olin's report, Jennings said.

The EPA plans to provide an interim remediation plan this fall and open it for public comment. The plan would be considered interim and not final, as the EPA still has to finish investigating the extent of the groundwater contamination.

The interim plan would include remedies for residents on Cook Avenue who have been using bottled water for years as a result of the contaminated water wells.

The EPA's final plan will address the question of restoring the aquifer to its complete water capability. It is a complex question and restoring it to complete capability may not be possible, Jennings said.

The Olin site is one of the most complex sites in the region due to the groundwater, Jennings said.

The EPA has also had numerous meetings with GFI Partners which is interesting in redeveloping the site. GFI's interest has sparked concern in town due to its connection to New England Transrail, which had been interested in redeveloping and using the site for transferring hazardous materials from trains to trucks for shipping across the region.

According to Jennings, GFI's latest proposal has changed and does not include using the rail line for hazardous materials.

The EPA is open to redevelopment of the site so long as the redevelopment does not interfere with the remedy, Jennings said.

Town Manager Jeffrey Hull stressed that remediation needed to be top priority.

"What I don't want to see happen even though the intent may be otherwise is the new development forces remediation to work around development," Hull said. "It should be the other way around."

Any redevelopment would also need to go through the local permitting process.

Following Jennings' presentation, several board members expressed their frustration with Olin and urged the EPA to continue pushing.

"Olin is dragging their feet, take them to the fire," Selectman Michael McCoy said.

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